

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JOHN R. JORDAN,

11 Plaintiff,

No. CIV S-03-1820 LKK KJM P

12 vs.

13 CAL A. TERHUNE, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff
17 seeks relief pursuant to 42 U.S.C. § 1983.

18 On April 25, 2006, the court ordered the United States Marshal to serve the
19 complaint on defendants, including defendant Kaptur. On June 14, 2006 and March 23, 2007,
20 process directed to defendant Kaptur was returned unserved.

21 /////

22 ///

23 /////

24 /////

25 /////

26 /////

1 However, in findings and recommendations issued February 14, 2007, the court
2 found that plaintiff had not exhausted administrative remedies regarding the incident of
3 November 30, 2002, which is the only incident in which Kaptur is named as a defendant. See
4 Docket No. 154 at 5-6. Based on this finding and the district court's adoption of it on March 30,
5 2007, see Docket No. 163, the court determines that service on defendant Kaptur is no longer
6 appropriate.

7 IT IS SO ORDERED.

8 DATED: April 26, 2007.

9 
10 U.S. MAGISTRATE JUDGE

11 2/jord1820.rf
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26